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ALBERTSONS LLC.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ERIC CIAROLLA, an individual,

Plaintiff,

vs.

ALBERTSONS, LLC, a limited liability company;
CENTER POINTE PLAZA LLC, a Nevada limited
liability company; DOES 1 through 10, and ROE
CORPORATIONS 1 through 20, inclusive,

Defendants.

CASE NO.: 2:23-cv-00313-CDS-EJY

**STIPULATION TO EXTEND
DISCOVERY PLAN AND SCHEDULING
ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

Plaintiff ERIC CIAROLLA by and through his attorney JORDAN P. SCHNITZER, ESQ., of THE SCHNITZER LAW FIRM, and Defendant ALBERTSONS, LLC, by and through its attorneys LEW BRANDON, JR., ESQ., JEFFREY J. ORR, ESQ. and JUSTIN PASQUALE, ESQ., of BRANDON | SMERBER LAW FIRM, hereby stipulate and agree that the discovery schedule shall be extended pursuant to LR 26-3.

I. Discovery Conducted to Date:

The parties have prepared their initial early case conference lists of witnesses and documents. Plaintiff has supplemented his disclosures once while Defendant has supplemented its disclosure six times. Written discovery has been propounded by both parties, and both parties have served responses thereto.

Defendant received executed medical authorizations to obtain copies of Plaintiff's medical records. Plaintiff's deposition is complete.

II. Discovery to Be Conducted:

1. Disclosure of retained/rebuttal experts;
2. Other expert designations, if applicable;
3. Expert depositions;
4. Depositions of treating physicians;
5. Depositions of Defendants' employees and FRCP 30(b)(6) witness(s);
6. Percipient witness depositions;
7. Any other discovery as allowed by the rules.

III. The Reason Discovery Cannot Be Done Within The Existing Discovery Time Limits:

The parties are rescheduling mediation with Judge Gene Porter (Ret.) as Defendant was unable to procure a complete copy of Plaintiff's medical records, though the request is being processed. The mediation has been rescheduled for November 13, 2023. The parties wish to mediate before experts are disclosed.

Current Discovery Deadlines

- | | |
|------------------------------------|--------------------|
| 1. Amend Pleadings/Add Parties: | September 11, 2023 |
| 2. Disclosure of Experts: | September 11, 2023 |
| 3. Disclosure of Rebuttal Experts: | October 13, 2023 |
| 4. Discovery Cut-Off: | December 11, 2023 |
| 5. Dispositive Motions deadline: | January 11, 2024 |

Proposed Schedule For Completing All Remaining Discovery

The parties propose the following amendments:

- | | |
|------------------------------------|-------------------|
| 1. Amend Pleadings/Add Parties: | November 13, 2023 |
| 2. Disclosure of Experts: | November 13, 2023 |
| 3. Disclosure of Rebuttal Experts: | December 12, 2023 |
| 4. Discovery Cut-Off: | February 9, 2024 |
| 5. Dispositive Motions deadline: | March 11, 2024 |

IV. Other Matters:

Plaintiff filed a motion for remand, which is still pending before this court.

DATED this 21st day of August 2023.

DATED this 21st day of August 2023.

THE SCHNITZER LAW FIRM

BRANDON | SMERBER LAW FIRM

/s/ Jordan P. Schnitzer

/s/ Lew Brandon, JR

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ERIC CIAROLLA

Attorneys for Defense
ALBERTSONS LLC

ORDER

IT IS SO ORDERED.

Dated this 21st day of August, 2023.

Raymond J. Zouchak
UNITED STATES MAGISTRATE JUDGE